



City of Battle Creek

Department of Planning and Community Development

77 E. Michigan Avenue, Ste. 204 • Battle Creek, Michigan 49017 • (269) 966-3320

www.battlecreekmi.gov

HISTORIC DISTRICT COMMISSION

Application for (check all that applies)

☐ Certificate of Appropriateness (for repairs or rehab projects)

☒ Notice to Proceed (for demolition requests)

Petition No. _____

Date Received: _____

APPLICANT**

NAME: Calhoun County Land Bank Authority

ADDRESS: 315 W. Green Street, Marshall, MI 49068

PHONE: 269-781-0859 FAX: 269-781-8303

EMAIL: Krista Trout-Edwards kedwards@calhouncountymi.gov

OWNER (if different from applicant)

NAME: _____

ADDRESS: _____

PHONE: _____ FAX: _____

EMAIL: _____

**If the applicant is not the property owner, a letter signed by the owner agreeing to the application to the Historic District Commission must be included with the application.

SUBMITTAL REQUIREMENTS/EXISTING CONDITIONS

Address(es) of property for which the request is being sought: 80 Oakbawn Ave

Current use of the property: previously residential, house

List existing structures on the property and the approximate age of each. house built in 1920

Please list all activities/proposed work for the property area and how the proposed work relates to the building as a whole.

Building was demolished as an asbestos containing structure due to severe fire damage

Indicate in which manner the proposed work will result in changes to the size and/or appearance of the features outlined in this application.

house was demolished

Does the work proposed include maintenance/repair of existing features of the structure, or will it create new features that do not currently exist?

NA

Please indicate the existing building materials of the following structural features and the proposed materials if that feature is included as part of the application.

	Existing Materials	Proposed Materials (if applicable)
Roof	asphalt	
Windows	wood	
Siding	wood	
Foundation	concrete block	
Other		

For Notice To Proceed requests only:

What options have you explored for the repair or relocation of the structure proposed for demolition?

None, we followed the City Building Inspector's recommendation that this house be immediately demolished to eliminate the hazard to public safety. The City also approved and issued a demolition permit.

As outlined in "HDC, Information and Procedure", each request requires supplementary items that thoroughly describe the existing structure and proposed project. These items are to be submitted with the completed application; incomplete applications will not be forwarded to the Historic District Commission.

APPLICANT SIGNATURE

By signing this application, the applicant hereby declares that all answers given herein are true to the best of their knowledge, and confirms that all information required for Historic District Commission review has been submitted. Furthermore, the applicant confirms that they have thoroughly read the "Historic District Commission, Information and Procedures" and agrees to comply with all requirements and procedures outlined therein.

K. Hunt-Edwards
Name

5/6/13
Date

CALHOUN COUNTY AND CALHOUN COUNTY LAND BANK AUTHORITY

ORDERED DEMOLITION OF STRUCTURE

Structure Address: 80 Oaklawn Avenue
Parcel ID#: 3560-00-021-0

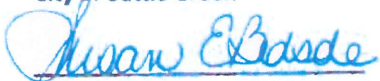
On ~~April~~^{March} 25, 2013, the City of Battle Creek working with the Calhoun County Land Bank Authority determined that the structure listed above is a Dangerous Building, structurally unsafe, and a public safety hazard. As such, it is unsafe to perform a complete asbestos survey and it would therefore also be unsafe to conduct a full asbestos abatement of the structure. Furthermore, the Building Inspector from the City of Battle Creek has determined that this structure is at risk of collapse. The Calhoun County Land Bank Authority submits the following facts:

1. The Calhoun County Land Bank Authority has owned this property since December 22, 2009, and intends to demolish the structure as asbestos containing.
2. The property was foreclosed on, by the Calhoun County Treasurer in 2009, for non-payment of real property taxes.
3. The property was damaged by a fire on ~~April~~^{March} 23, 2013.
4. The structure suffered significant destruction due to said fire (see attached photos); the roof collapsed into the building adding stress on the structure causing the walls to bow.
5. On ~~April~~^{March} 25, 2013, the City of Battle Creek sent a "Notice of Dangerous Building" (attached) regarding this structure stating that the building is condemned, structurally unsafe, and at risk of collapse.
6. Due to the fire damage, it is impossible to conduct a full asbestos survey and to abate; therefore, the Calhoun County Land Bank Authority will hire a demolition contractor licensed for asbestos abatement to demolish the structure as an asbestos containing structure.
7. Because the structure is at risk of imminent collapse, the Calhoun County Land Bank Authority and City of Battle Creek are pursuing an Ordered Demolition of this structure and will forego the required DEQ 10 day notice procedure to demolish.

It is hereby ordered that the subject property located at 80 Oaklawn Avenue, Battle Creek, MI, be demolished as an asbestos containing building under the ordered demolition procedure.

Dated: ~~April~~^{March} 26, 2013

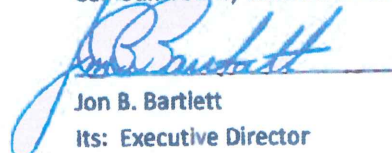
City of Battle Creek



Susan Bedsole

Its: Community Services Director

Calhoun County Land Bank Authority



Jon B. Bartlett

Its: Executive Director

Photos of 80 Oaklawn Avenue after the fire:





CITY OF BATTLE CREEK
10 N. Division Street, Room 117
Battle Creek, MI 49014
269.966.3387

NOTICE OF DANGEROUS BUILDING

03/25/2013

CALHOUN COUNTY LAND BANK AUTHORITY

Permits Required

☒ **_X_Building** ☐ **__Mechanical**
☐ **__Electrical** ☐ **__Plumbing**

Re: 80 OAKLAWN AVE – HOUSE FIRE DAMAGE

EN13-01227

Dear Property Owner:

An inspection conducted on 03/25/2013 identified the following violations of the International Property Maintenance Code 2009, related to the referenced property:

BUILDING CONDEMNED:

1. 108.1 General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.
2. 108.1.1 Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.
3. 108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:
 - a. (3) Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
 - b. (6) The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.

4. 109.1 Imminent danger. When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

This inspection may not include all of the violations that exist at this address, other violations may exist, but because of their location or the fact that they may be covered by debris or construction materials, we were unable to document them.

Section 107.6; International Property Maintenance Code 2009. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs requested by such compliance order or notice of violation.

Sincerely,

Don Wilkinson
City of Battle Creek Building Division
Building Inspector/Plan Reviewer
10 N. Division St., Suite 117
Battle Creek, MI 49014
dgwilkinson@battlecreekmi.gov
(269) 966-3383